

DOWNEY BRAND LLP  
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 Sacramento, CA 95814  
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Attorneys for  
 Teichert Pipelines, Inc. and A. Teichert & Sons, Inc.  
 d/b/a Teichert Aggregates

UNITED STATES BANKRUPTCY COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

In re:

PG&E CORPORATION

and

PACIFIC GAS AND ELECTRIC COMPANY,  
 Debtors.

Case Nos.:

19-30088 (DM) – Lead Case  
 19-30089 (DM)

Chapter 11 Case

**NOTICE OF CONTINUED  
 PERFECTION OF MECHANICS  
 LIEN PURSUANT TO 11 U.S.C. §  
 546(b)(2)**

- ☐ Affects PG&E Corporation  
☐ Affects Pacific Gas and Electric Company  
☒ Affect both Debtors

TEICHERT PIPELINES, Inc. ("TEICHERT"), by and through its undersigned counsel, hereby gives notice of continued perfection of its mechanics lien under 11 U.S.C. § 546(b)(2), as follows:

1. TEICHERT is a corporation that has provided and delivered labor, services, equipment, and/or materials for a work of improvement located in the County of Yolo, State of California (the "Property") and owned by PG&E Corporation and/or Pacific Gas and

1 Electric Company (collectively, the "Debtors").

2 2. Through May 1, 2019, the amount owing to TEICHERT is at least \$61,223.60,  
3 exclusive of accruing interest and other charges, with additional amounts owed and accrued  
4 after May 1, 2019.

5 3. Teichert properly perfected its mechanics lien under California Civil Code §§  
6 8400, *et seq.* by timely recording its Mechanics Lien (Claim of Lien) in the Official Records  
7 of Yolo County, State of California, as more fully described in its Mechanics Lien, a true  
8 copy of which is attached hereto as Exhibit A, on or about May 3, 2019.

9 4. Pursuant to California Civil Code § 8460, an action to enforce a lien must be  
10 commenced within 90 days after recordation of the claim of lien. However, due to the  
11 automatic stay set forth in 11 U.S.C. § 362, TEICHERT is precluded from filing a state court  
12 action to enforce its mechanics lien. 11 U.S.C. § 546(b)(2) provides that when applicable law  
13 requires seizure of property or commencement of an action to perfect, maintain, or continue  
14 the perfection of an interest in property, and the property has not been seized or an action has  
15 not been commenced before the bankruptcy petition date, then the claimant shall instead give  
16 notice within the time fixed by law for seizing the property or commencing an action. (See  
17 11 U.S.C. § 546(b)(2); *see also In re Baldwin Builders (Village Nurseries v. Gould)*, 232 B.R.  
18 406, 410-411 (9<sup>th</sup> Cir. 1999); *Village Nurseries v. Greenbaum*, 101 Cal.App.4<sup>th</sup> 26, 41 (Cal.  
19 Ct. App. 2002).)

20 5. Accordingly, TEICHERT hereby provides notice of its rights as a perfected  
21 lienholder in the Property pursuant to California's mechanics lien law. TEICHERT is filing  
22 and serving this notice to preserve, perfect, maintain, and continue the perfection of its lien  
23 and its rights in the Property to comply with the requirements of California state law, 11  
24 U.S.C. §§ 362(a), 362(b)(3), and 546(b)(2), and any other applicable law. This notice  
25 constitutes the legal equivalent of having commenced an action to foreclose the lien in the  
26 proper court. By this notice, the Debtors and other parties in interest are estopped from  
27 claiming that the lawsuit to enforce TEICHERT's mechanics lien was not timely commenced  
28 pursuant to applicable state law. TEICHERT intends to enforce its lien rights to the fullest

1 extent permitted by applicable law. The interests perfected, maintained, or continued by  
2 11 U.S.C. § 546(b)(2) extend in and to the proceeds, products, offspring, rents, or profits of  
3 the Property.

4 6. The filing of this notice shall not be construed as an admission that such filing  
5 is required under the Bankruptcy Code, the California mechanics lien law, or any other  
6 applicable law. In addition, TEICHERT does not make any admission of fact or law, and  
7 TEICHERT asserts that its lien is senior to and effective against entities that may have  
8 acquired rights or interests in the Property previously.

9 7. The filing of this notice shall not be deemed to be a waiver of TEICHERT's  
10 right to seek relief from the automatic stay to foreclose its mechanics lien and/or a waiver of  
11 any other rights or defenses.

12 8. TEICHERT reserves all rights, including the right to amend or supplement  
13 this notice.

14  
15 DATED: May 8, 2019

DOWNEY BRAND LLP

16  
17 By: /s/ Jamie P. Dreher  
18 JAMIE P. DREHER  
19 Attorney for  
20 TEICHERT PIPELINES, INC. AND  
21 A. TEICHERT & SONS, INC. D/B/A TEICHERT  
22 AGGREGATES  
23  
24  
25  
26  
27  
28

# **EXHIBIT A**

CONFORMED COPY  
NOT COMPARED  
WITH ORIGINAL

RECORDING REQUESTED BY  
REQUESTED BY SCOTT MCELHERN  
WHEN RECORDED MAIL TO

NAME DOWNEY BRAND LLP  
MAILING Scott McElhern  
ADDRESS 621 Capitol Mall, 18th Floor  
Sacramento, CA 95814

PHONE (916) 444-1000  
NUMBER



YOLO Recorder's Office

Jesse Salinas, County Recorder

DOC- 2019-0009268-00

Check Number 25934

REQD BY CAPITOL COURIERS INC

Friday, MAY 03, 2019 11:34:34

Ttl Pd \$111.00

Rcpt # 0001345496

FRT/R3/1-5

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

### CLAIM OF MECHANICS LIEN (Cal. Civ. Code § 8416)

1. Teichert Pipelines, Inc. ("Claimant") claims a mechanics lien for the labor, services, equipment and/or materials described in paragraph 2, furnished for a Pacific Gas & Electric Company work of improvement located in the City of West Sacramento, County of Yolo, State of California, and more particularly described as follows:

Gas main lines and gas service lines for the locations listed on the attached Exhibit A.

2. After deducting all just credits and offsets, the sum of \$61,223.60, plus interest accrued and accruing thereon at the maximum legal rate, is due Claimant for the following generally described labor, materials, services, and/or equipment: construction and installation of 2-inch high pressure plastic gas main; gas service replacements; gas service transfers; deactivation of 2-inch high pressure steel gas main; deactivation of 2-inch aldy-l-a high pressure gas main.

3. Claimant furnished the work and materials at the request of and under contract with Pacific Gas & Electric Company, 77 Beale Street, 32nd Floor, San Francisco, CA 94105.

4. The name and address of the owner or reputed owner of the improvements is Pacific Gas & Electric Company, 77 Beale Street, 32nd Floor, San Francisco, CA 94105.

5. Claimant's address is: 3500 American River Drive, Sacramento, CA 95864.

DATED: \_\_\_\_\_

May 1, 2019

TEICHERT PIPELINES, INC.

By: \_\_\_\_\_

Sean Collins, Credit Manager

## VERIFICATION

I, Sean Collins, am the Credit Manager of Teichert Pipelines, Inc., and am authorized to make this verification for and on its behalf. I have read the foregoing claim of mechanics lien and know the contents of the claim of mechanics lien to be true of my own knowledge.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATED: May 1, 2019

TEICHERT PIPELINES, INC.

By: 

Sean Collins, Credit Manager

## EXHIBIT A

818 Oak Street, West Sacramento, CA 95605  
822 Oak Street, West Sacramento, CA 95605  
824 Oak Street, West Sacramento, CA 95605  
832 Oak Street, West Sacramento, CA 95605  
836 Oak Street, West Sacramento, CA 95605  
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841A Oak Street, West Sacramento, CA 95605  
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940A Oak Street, West Sacramento, CA 95605  
944 Oak Street, West Sacramento, CA 95605  
948 Oak Street, West Sacramento, CA 95605  
960 Oak Street, West Sacramento, CA 95605  
1741 Sacramento Avenue, West Sacramento, CA 95605

## **NOTICE OF MECHANICS LIEN CLAIM**

### **ATTENTION!**

**Upon the recording of the enclosed MECHANICS LIEN with the county recorder's office of the county where the property is located, your property is subject to the filing of a legal action seeking a court-ordered foreclosure sale of the real property on which the lien has been recorded. That legal action must be filed with the court no later than 90 days after the date the mechanics lien is recorded.**

**The party identified in the enclosed mechanics lien may have provided labor or materials for improvements to your property and may not have been paid for these items. You are receiving this notice because it is a required step in filing a mechanics lien foreclosure action against your property. The foreclosure action will seek to pay for unpaid labor, materials, or improvements provided to your property. This may affect your ability to borrow against, refinance, or sell the property until the mechanics lien is released.**

**BECAUSE THE LIEN AFFECTS YOUR PROPERTY, YOU MAY WISH TO SPEAK WITH YOUR CONTRACTOR IMMEDIATELY, OR CONTACT AN ATTORNEY, OR FOR MORE INFORMATION ON MECHANICS LIENS GO TO THE CONTRACTORS' STATE LICENSE BOARD WEB SITE AT [www.clb.ca.gov](http://www.clb.ca.gov).**



## PROOF OF SERVICE AFFIDAVIT

I, Mary Dowd declare:

On May 3, 2019, at Sacramento, California, I served the enclosed:

### CLAIM OF MECHANIC'S LIEN

by enclosing true and correct copies thereof in sealed envelopes, with postage thereon fully prepaid, using one of the following described mailing methods:

- ☐ Registered Mail, Return Receipt Requested;
- ☒ Certified Mail, Return Receipt Requested;
- ☐ Express Mail; or
- ☐ Overnight delivery by an express service carrier.

The envelope was addressed as follows:

Pacific Gas & Electric Company  
77 Beale Street, 32nd Floor  
San Francisco, CA 94105

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signed on May 3, 2019, at Sacramento, California.



Mary Dowd